

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR UTILITY PATENT APPLICATION**

Attorney's Docket No.

012712-131

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED:

MONKEY MONOCLONAL ANTIBODIES SPECIFIC TO HUMAN B7.1 AND/OR B7.2 PRIMATIZED FORMS

THEREOF, PHARMACEUTICAL COMPOSITIONS CONTAINING, AND USE THEREOF AS

IMMUNOSUPPRESSANTS

the specification of which

(check one)

is attached hereto;

was filed on June 7, 1995 as

Application No. 08/487,550

and was amended on \_\_\_\_\_;  
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE;

I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE OFFICE ALL INFORMATION KNOWN TO ME TO BE MATERIAL TO PATENTABILITY AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (as amended effective March 16, 1992);

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application(s) on which priority is claimed:

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COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES <u>      </u> NO <u>      </u>
			YES <u>      </u> NO <u>      </u>

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William L. Mathis	17,337	Ralph L. Freeland, Jr.	16,110	William C. Rowland	30,888
Peter H. Smolka	15,913	Robert G. Mukai	28,531	T. Gene Dillahunty	25,423
Robert S. Swecker	19,885	George A. Hovanec, Jr.	28,223	Anthony W. Shaw	30,104
Platon N. Mandros	22,124	James A. LaBarre	28,632	Patrick C. Keane	32,858
Benton S. Duffett, Jr.	22,030	E. Joseph Gess	28,510	Bruce J. Boggs, Jr.	32,344
Joseph R. Magnone	24,239	R. Danny Huntington	27,903	William H. Benz	25,952
Norman H. Stepno	22,716	Eric H. Weisblatt	30,505	Peter K. Skiff	31,917
Ronald L. Grudziecki	24,970	James W. Peterson	26,057	Richard J. McGrath	29,195
Frederick G. Michaud, Jr.	26,003	Teresa Stanek Rea	30,427	Matthew L. Schneider	32,814
Alan E. Kopecki	25,813	Robert E. Krebs	25,885	Michael G. Savage	32,596
Regis E. Slutter	26,999	Robert M. Schulman	31,196	Gerald F. Swiss	30,113
Samuel C. Miller, III	27,360				

and: Robin L. Teskin

Address all correspondence to: **E. Joseph Gess**  
**Burns, Doane, Swecker & Mathis, LLP**  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

Address all telephone calls to: E. Joseph Gess at (703) 836-6620.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR Darrell R. ANDERSON	SIGNATURE 	DATE 12-18-97
RESIDENCE Escondido, California 92029	CITIZENSHIP USA	
POST OFFICE ADDRESS 29246 Lawrence Welk Lane, Escondido, CA 92029		
FULL NAME OF SECOND JOINT INVENTOR, IF ANY Peter BRAMS	SIGNATURE 	DATE 12-18-97
RESIDENCE San Diego, California 92116	CITIZENSHIP Danish	
POST OFFICE ADDRESS 4303 Proctor Place, San Diego, CA 92116		
FULL NAME OF THIRD JOINT INVENTOR, IF ANY Nabil HANNA	SIGNATURE 	DATE 12-18-97
RESIDENCE Rancho Santa Fe, California 92067	CITIZENSHIP USA	
POST OFFICE ADDRESS 16016 Camino Deliciada, Rancho Santa Fe, CA 92067		

FULL NAME OF FOURTH JOINT INVENTOR, IF ANY William S. SHESTOWSKY	SIGNATURE <i>William S. Shestowsky</i>	DATE 12-18-97
RESIDENCE San Diego, California 92109	CITIZENSHIP Canadian	
POST OFFICE ADDRESS 1155 Thomas Avenue, San Diego, CA 92109		
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY Cheryl HEARD	SIGNATURE <i>Cheryl Heard</i>	DATE 12-18-97
RESIDENCE 1225 Via Montoro, Encinitas, CA 92024	CITIZENSHIP USA	
POST OFFICE ADDRESS 1225 Via Montoro, Encinitas, CA 92024		
FULL NAME OF SIXTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF SEVENTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF EIGHTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF NINTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF TENTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF ELEVENTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF TWELFTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		

**COPY**

Patent  
Attorney's Docket No. 012712-131

Applicant or Patentee: Darrell R. ANDERSON et al

Application or Patent No.: 08/487,550

Filed or Issued: June 7, 1995

For: MONKEY MONOCLONAL ANTIBODIES SPECIFIC TO HUMAN B7.1 AND/OR B7.2 PRIMATIZED FORMS THEREOF, PHARMACEUTICAL COMPOSITIONS CONTAINING, AND USE THEREOF AS IMMUNOSUPPRESSANTS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. §§ 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN IDEC Pharmaceuticals Corporation

ADDRESS OF CONCERN 11011 Torrevana Road

San Diego, CA 92121

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Sections 41(a) and 41(b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average, over the previous fiscal year of the concern, of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled MONKEY MONOCLONAL ANTIBODIES SPECIFIC TO HUMAN B7.1 AND/OR B7.2 PRIMATIZED FORMS THEREOF, PHARMACEUTICAL COMPOSITIONS CONTAINING, AND USE THEREOF AS IMMUNOSUPPRESSANTS by inventor(s) Darrell R. ANDERSON, Peter BRAMS, Nabil HANNA, and Bill SHESTOWSKY, described in

- the specification filed herewith  
 Application No. 08/487,550, filed June 7, 1995  
 Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below,\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c), or by any concern that would not qualify as either a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27.)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

individual     small business concern     nonprofit organization

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

individual     small business concern     nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee and any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b).)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Kenneth J. Woolcott  
TITLE OF PERSON OTHER THAN OWNER Vice President, General Counsel & Licensing Exec.  
ADDRESS OF PERSON SIGNING 11011 Torrevana Road, San Diego, CA 92121

SIGNATURE

DATE 11/21/95